

#5

10/523439

Docket No.: 17170/008001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zeng Gang Liu

Application No.: 10/523,439

Confirmation No.: 4460

Filed: January 28, 2005

Art Unit: N/A

For: ELECTROMAGNETIC RETARDER FOR A
VEHICLE PROVIDED WITH A SPEED
INCREASING UNIT

Examiner: Not Yet Assigned

REQUEST TO AFFORD FILING DATE UNDER 37 C.F.R. § 1.110 **RECEIVED**

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

14 FEB 2006

Legal Staff
International Division

In response to the acknowledgement postcard received in the above case, Applicant respectfully requests that the filing date of this application be properly afforded as of the true date of filing by Express mail and submits the following in support thereof.

1. On January 28, 2005, Applicant filed the referenced application by Express mail. A copy of the date-stamped Express mail label evidencing receipt of the application on January 28, 2005, is enclosed. However, Applicant notes that the clerk at the U.S. Post Office errantly hand wrote the date on the receipt as January 29, 2005.

2. Thereafter, the acknowledgement postcard dated January 28, 2005 was received with a date stamp of January 29, 2005 indicated thereon. A copy of the acknowledgement postcard indicating the inaccurate date is enclosed.

3. In support of Applicant's claim, copies of the Certificate of Express Mailing, Fee Transmittal, Application Cover Sheet, and Credit Card Payment Form are enclosed, all of which are dated January 28, 2005.

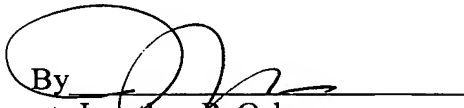
4. Under 37 C.F.R. § 1.10, correspondence delivered by Express mail will be considered filed on the date of deposit with the U.S. Post Office.

In view of the above, Applicant respectfully requests that this application be afforded a filing date of January 28, 2005, in accordance with the date indicated on the executed documents.

No petition is believed necessary, however, if one is required, please consider this request as such. Also, no fees are believed due. If this belief is incorrect, or other fees are due, please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 17170/008001). If any further information is required, or there are any questions in regard to this request, please do not hesitate to contact the undersigned or his associates at the telephone number listed below.

Dated: September 6, 2005

Respectfully submitted,

By 
Jonathan P. Osha
Registration No.: 33,986
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)



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PO ZIP Code 77001	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In Mo. 12 Da. 29 Year 05	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 17.05
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DELIVERY (POSTAL USE ONLY)

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Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
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Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. (Wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.)		
<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		

FROM: (PLEASE PRINT)

PHONE 713, 228 8600

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17170/008001 (TAH) (PB)

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DT02 Rec'd PCT/PTO 29 JAN 2005

Atty Docket No.: 17170/008001

Inventor: Zeng Gang Liu

Application No.: Not Yet Assigned

Filing Date: Concurrently Herewith

Title: ELECTROMAGNETIC RETARDER FOR A VEHICLE PROVIDED WITH A
SPEED INCREASING UNIT

10/523439

Documents Filed:

Fee Transmittal (2 pages)

Second copy of published International Application

Transmittal Letter to the United States
Designated-Elected Office (2 pages)

Certificate of Express Mailing (1 page)

English language translation of the International
application

Payment by credit card. Form PTO-2038 is
attached (1 page)

Application Data Sheet (2 pages)

Charge \$1,000.00 to credit card

Return Receipt Postcard; International Search Report

Oath or declaration of the inventor(s)

Information Disclosure Statement

Via: Express Mail: Airbill No. EV535680024US

Sender's Initials: JPO/tah

Date: January 28, 2005

Certificate of Express Mailing Under 37 CFR 1.10

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on 28 January 2005
Date



Signature

Toni A. Hill

Typed or printed name of person signing Certificate

Registration Number, if applicable

713-228-8600
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (2 pages)
Transmittal Letter to the United States Designated-Elected Office
English language translation of the International application
Application Data Sheet
Return Receipt Postcard; International Search Report
Oath or declaration of the inventor(s)
Information Disclosure Statement
Second copy of published International Application
Payment by credit card. Form PTO-2038 is attached
Charge \$1,000.00 to credit card

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3>		Complete if Known		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	Not Yet Assigned	
		Filing Date	Concurrently Herewith	
		First Named Inventor	Zeng Gang Liu	
		Examiner Name	Not Yet Assigned	
		Art Unit	N/A	
TOTAL AMOUNT OF PAYMENT	(\$)	1,000.00	Attorney Docket No.	17170/008001

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>50-0591</u> Deposit Account Name: <u>Osha & May L.L.P.</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		<u>Small Entity</u>		<u>Small Entity</u>		<u>Small Entity</u>	
<u>Application Type</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
<u>Fee Description</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>					
Each claim over 20 (including Reissues)	50	25					
Each independent claim over 3 (including Reissues)	200	100					
Multiple dependent claims	360	180					
<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>			
8	- 20 =	x	=	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>		
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>				
1	- 3 =	x	=				
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
21	- 100 =	/ 50	(round up to a whole number) x	=			
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge):							
1631 Basic National Stage fee				300.00			
1632 National Stage search fee				500.00			
1633 National Stage examination fee				200.00			

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	33,986
Name (Print/Type)	Jonathan P. Osha	Telephone	(713) 228-8600
		Date	January 28, 2005

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Dated: January 28, 2005

Signature: (Toni A. Hill)

APPLICATION
FOR
UNITED STATES LETTERS PATENT

**TITLE: ELECTROMAGNETIC RETARDER FOR A VEHICLE
PROVIDED WITH A SPEED INCREASING UNIT**

APPLICANT: Zeng Gang LIU

"EXPRESS MAIL" Mailing Label Number: EV535680024US

Date of Deposit: January 28, 2005

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Credit Card Payment Form

Credit Card Information			
Credit Card Type: <input type="checkbox"/> Visa <input type="checkbox"/> Mastercard <input checked="" type="checkbox"/> American Express <input type="checkbox"/> Discover			
Credit Card Account #: [REDACTED] 1048			
Credit Card Expiration Date: 07/06			
Name as it Appears on Credit Card: Ramona S Goodman			
Payment Amount: \$ (US Dollars): 1,000.00			
Cardholder Signature:		Date: 1/28/05	
Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The office will not refund amounts of \$25.00 or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR §1.26). Refund of a fee paid by credit card will be issued as a credit to the credit card account to which the fee was charged.			
Service Charge: There is a 50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR §1.21(m)).			
Credit Card Billing Information			
Street Address: Osha & May L.L.P. 1221 McKinney St., Suite 2800			
City: Houston			
State/Province: Texas		Zip/Postal Code: 77010	
Country: United States of America			
Daytime Phone #: (713) 228-8600		Fax #: (713) 228-8778	
Request and Payment Information			
Description of Request and Payment Information: Basic National Stage fee \$300.00; National Stage search fee \$500.00; National Stage examination fee \$200.00			
<input checked="" type="checkbox"/> Patent Fee Application No. Not Yet Assigned Patent No. Attorney Docket No. 17170/008001	<input type="checkbox"/> Patent Maintenance Fee Application No. Patent No. Patent No.	<input type="checkbox"/> Trademark Fee Application No. Registration No. Identify or Describe Mark	<input type="checkbox"/> Other Fee IDON Customer No. IDON Customer No.

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Dated: January 28, 2005

Signature:

(Toni A. Hill)